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**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ JUN 14 2011 ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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BROOKLYN OFFICE

THOMAS GESUALDI and FRANK FINKEL, Trustees of :  
Local 282 International Brotherhood of Teamsters Welfare, :  
Pension, Annuity, Job Training and Vacation Sick Leave :  
Trust Funds, :

Plaintiffs,

-against-

PAV-CO ASPHALT, INC.,

Defendant.

09-CV-2053 (ARR)(JMA)

NOT FOR  
PRINT OR ELECTRONIC  
PUBLICATION

ORDER

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X

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated May 23, 2011 from the Honorable Joan M. Azrack, United States Magistrate Judge. No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Edwards v. Town of Huntington, No. 05 Civ. 339 (NGG) (AKT), 2007 U.S. Dist. LEXIS 50074, at \*6 (E.D.N.Y. July 11, 2007); McKoy v. Henderson, No. 05 Civ. 1535 (DAB), 2007 U.S. Dist. LEXIS 15673, at \*1 (S.D.N.Y. March 5, 2007). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Plaintiffs are directed to serve defendant with copies of this order and the supplemental judgment and to file proof of service promptly.

SO ORDERED.

/s/(ARR)

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Allyne R. Ross  
United States District Judge

Dated: June 13, 2011  
Brooklyn, New York